

# **THE KENTUCKY BOARD OF LICENSURE FOR PRIVATE INVESTIGATORS**

**March 1, 2007**

A regular Board Meeting of the Kentucky Board of Licensure for Private Investigators was held at the Board offices, Division of Occupations and Professions, 911 Leawood Drive, Frankfort, KY on Thursday March 1, 2007.

## **MEMBERS PRESENT**

Rick Hessig, Chairman  
Jim Ringo  
Roger McDonald  
Michael Ober

## **OCCUPATIONS & PROFESSIONS STAFF**

Adriana Lang, Board Administrator  
Claude Wagner, Executive Director  
Wendy Satterly, Supervisor

## **OTHERS PRESENT**

Ryan Halloran, Attorney  
Larry Nunes  
John Logdon  
Rodney Brock  
Rick LeBlanc  
Dan Kane  
Mike May  
Bill Lilly  
Scott Taps

## **MEMBERS ABSENT**

Michael Helmig  
Norman Williams  
Tara Ford

---

## **CALL TO ORDER**

Mr. Rick Hessig called the meeting to order at 1:00 p.m.

## **ELECTION OF THE BOARD**

The Board held its annual election for a Chairman. Mr. Michael Ober nominated Mr. Rick Hessig as the Board Chairman. Mr. Jim Ringo nominated Mr. Norman Williams as the Board Chairman. There were three (3) votes for Mr. Hessig and one (1) vote for Mr. Williams. Mr. Hessig was elected as the Board Chairman.

The Board held its annual election for a Vice-Chairman. Mr. Jim Ringo nominated Mr. Norman Williams as the Board Vice-Chairman. Mr. Norman Williams was elected as the Board Vice-Chairman by unanimous vote.

The Board agreed to defer their committee nominations for the next scheduled Board meeting.

## **APPROVAL OF MINUTES**

The minutes of the February 1, 2007 meeting were called to the attention of the members. A motion was made by Mr. Jim Ringo to approve the minutes, motion seconded by Mr. Michael Ober, carried.

## **FINANCIAL STATEMENT**

The Board reviewed the Financial Statement indicating a balance of \$73,419.84 from July 1, 2006 to January 31, 2007. A motion was made by Mr. Roger McDonald to accept the Financial Statement. Motion, seconded by Mr. Michael Ober, carried.

## **LICENSURE STATUS**

The Board reviewed the Licensure Report of March 1, 2007.

## **PROOF OF INSURANCE**

The Board reviewed a list of names of licensees that have an insurance policy with an expiration date of December 2006.

### **ATTORNEY REPORT- LEGAL MATTERS**

Mr. Ryan Halloran informed the Board that he would be representing Ms. Diane Fleming at today's meeting.

Mr. Ryan Halloran stated that he did not have an update on the Whitehall and Bryan Finney injunctions and on the Fees Regulations. He instructed the Board to follow up with Ms. Fleming on those updates.

Mr. Ryan Halloran discussed with the Board the Attorney General's response regarding the KRS 329A.040 (4) and KRS 329A.035, which stated: **"Therefore, the statutory language in KRS 329A.040 (4) prohibits the Board from requiring that a sole proprietorship obtain a private investigator company license. The Board may issue such a license if the company requests licensure, but the Board does not have the authority to mandate it"**.

Mr. Ryan Halloran discussed with the Board correspondence received from Ms. Barbara Payton in response to the Board's Cease and Desist letter. Mr. Michael Ober made a motion for Ms. Diane Fleming to send a letter to Ms. Payton. The motion seconded, by Mr. Jim Ringo, carried.

### **DIRECTOR'S REPORT**

Mr. Claude Wagner informed the Board that Mr. Norman Williams called him to let him know that he was not going to be attending today's meeting and stated that he would encourage the Board to go on with their elections.

Mr. Claude Wagner discussed with the Board the letter received from the Attorney General's office regarding the definition of the Private Investigator Company Sole Proprietor.

### **NEW BUSINESS**

The Board reviewed correspondence received from the International Association of Security and Investigative Regulations (ISAIR) regarding the Board's membership renewal for the year of 2007. Mr. Jim Ringo made a motion to renew the Board's membership. The Motion, seconded by Mr. Michael Ober, carried.

The Board reviewed correspondence received from Mr. George Nemecek regarding Mr. Russell Ray James working in the Commonwealth of Kentucky without holding a private investigator license. Mr. Michael Ober made a motion for Ms. Diane Fleming to send Mr. James a Cease and Desist letter. The motion, seconded by Mr. Roger McDonald, carried.

The Board reviewed correspondence received via e-mail from Ms. Diane Patterson regarding Tony Carter working in the Commonwealth of Kentucky without holding a private investigator license. Mr. Michael Ober made a motion for Ms. Diane Fleming to send a letter to Ms. Patterson requesting additional information. The motion, seconded by Mr. Roger McDonald, carried.

The Chairman Mr. Rick Hessig, informed the audience that he would allow them to introduce themselves briefly. In addition, he stated that if anyone had any businesses to follow the Board's procedure by submitting their businesses in writing to the Board office for the Board staff member to place it on the Board agenda to be reviewed and discussed by the Board.

Mr. Rodney Brock asked the Board for an update on the reciprocity proposal with other states. The Board informed Mr. Brock that Ms. Diane Fleming is working on drafts of proposal of reciprocity agreements with other states.

Mr. Richard LeBlanc discussed with the Board the proper procedures for the Board committee appointees.

Mr. John Logsdon provided the Board a copy of a business card from a possible individual working without a license; he stated that it was given to him by someone whom he did not know. The Board provided Mr. Logsdon a detailed explanation of the Board's complaint procedure. The Board requested that Mr. Logsdon either file a formal complaint himself or have the person that gave him the business card mail the complaint to the Board office for a further review. In addition, the Board referred Mr. Logsdon to the 201 KAR 41:080.

### **APPLICATION REVIEW COMMITTEE**

The Chairman Mr. Rick Hessig, gave the following report from the Application Review Committee. The Board accepted Mr. Hessig's report as follows:

APPROVED WITH PROVISIONS: *Richard Casto, Phillip Dye, Daniel Kane and Frederick Stone.*

INDIVIDUAL APPLICATION DEFERRED: *Sellus Bessinger, Donald Hood and Stephanie Hughes.*

COMPANY DEFERRED: *Risk Aware, LLC.*

CONTINUING EDUCATION: The Board deferred CE applications from PICEU.com.

### **TRAVEL AND PER DIEM**

A motion was made by Mr. Jim Ringo to approve payment of travel expenses and per diem compensation for eligible members in attendance at today's meeting. Motion, seconded by Mr. Michael Ober, carried.

### **ADJOURNMENT**

The Chairman Mr. Rick Hessig informed the Board that the next meeting is scheduled for Thursday, April 5, 2007, with the Application Committee meeting at 10:00 a.m. and the Regular Board Meeting at 1:00 p.m. Having no further business to be brought before the Board, a motion was made by Mr. Roger McDonald to adjourn. Motion seconded by Mr. Jim Ringo, carried. The meeting adjourned at 1:45 pm.

### **APPROVED**